IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EMPLOYER TRUSTEES OF WESTERN PENNSYLVANIA TEAMSTERS AND EMPLOYERS WELFARE FUND, WILLIAM J. DILLNER, M. E. DOUTT, ROBERT JACKSON, DOUGLAS LONGENETTE, RAYMOND MILLER, ROBERT J. PERKINS	)))))))))
	)
Plaintiffs,	)
	)))
v.	))
UNION TRUSTEES OF WESTERN PENNSYLVANIA TEAMSTERS AND EMPLOYERS WELFARE FUND, KEITH FRANK, CHARLES GASTON, JOSEPH A. MOLINERO, KEVIN SCHMITT, SCOTT STANLEY,	))))))
	))
Defendants.	))

CIVIL ACTION NO. 19-388
CIVIL ACTION NO. 18-1112

JUDGE JOY FLOWERS CONTI

<u>ORDER</u>

AND NOW, this 2nd day of February 2021, for the reasons set forth in the accompanying opinion, with respect to civil action number 19-388:

– the motion for summary judgment (ECF No. 32) filed by the employer representatives of the Board of Trustees of the Western Pennsylvania Teamsters and Employers Welfare Fund (the "Employer Trustees") is **HEREBY GRANTED IN PART** and **DENIED IN PART**;

– the motion for summary judgment (ECF No. 28) filed by the union representatives of the same board (the "Union Trustees") is **HEREBY GRANTED IN PART** and **DENIED IN PART;** and

– the Clerk shall mark civil action 19-388 **CLOSED**; and

IT IS FURTHER ORDERED that for the reasons set forth in accompanying opinion, with respect to civil action number 18-1112, the magistrate judge's Report & Recommendation (ECF No. 68) will be **ADOPTED IN PART**, **REJECTED IN PART**, and supplemented as provided in the accompanying opinion, and:

- the Employer Trustees' motion for summary judgment (ECF No. 46) is **HEREBY GRANTED IN PART** and **DENIED IN PART**;

- the Union Trustees' partial motion for summary judgment (ECF No. 48) is **HEREBY GRANTED IN PART** and **DENIED IN PART**; and

- the Clerk shall mark civil action number 18-1112 **CLOSED**.

<div align="center">

IT IS SO ORDERED.

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/s/ JOY FLOWERS CONTI
Joy Flowers Conti
Senior United States District Court Judge